

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

198715

DATE OF REPORT (DAY-MO.-YEAR)

15 March 93

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or
in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME STANEK, Victoria L.		RANK SGT.	STAR NO. 759	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN. 008	
ADDRESS OF INCIDENT 63rd & Rockwell		DATE OF INCIDENT - TIME 10 Feb. 93 - 0830			BEAT OF INCIDENT 825	LOCATION CODE* 17	
NAME 1. Henehan, Donald E.		RANK P.O.	STAR NO. 14797	SOCIAL SEC. NO.	EMPLOYEE NO.	UNIT ASSIGN. 008	
2. Hampton, Carolyn Y.		P.P.O.	4748			044/010	
ACCUSED	SEX/RACE D.O.B. 1. M/2 [REDACTED] 45	DATE OF APPOINTMENT 15 June 70		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE# 01	
	2. F/I [REDACTED] 66	29 June 92		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01	
COMPLAINANT	IF APPLICABLE - DATE ARRESTED/INDICTED 1. D.N.A.			CHARGES	COURT BRANCH	DISPOSITION & DATE	
	2.						
VICTIMS	NAME Sgt. V. Stanek #759	ADDRESS** 008th District		TELEPHONE 747-8224	SEX/RACE F/2	D.O.B./AGE 63	PHYS. COND. CODE# 01
	D.N.A.	ADDRESS**		TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE#
WITNESSES	NAME D.N.A.	ADDRESS**		TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE#

SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

On Wednesday, 17 Feb. 93 at 1606 hours the complainant [REDACTED] contacted the Office Professional Standards and registered the following formal complaint with Civilian Employee Smith, Employee #: [REDACTED]

Allegation #1: P.O. Donald E. Henehan, failed to issue a traffic citation to Off-Duty P.P.O. Hampton, for not having valid liability insurance, after being involved in a Traffic Accident, Reference RD#: X766-474.

Allegation #2: P.P.O. Carolyn Y. Hampton did not have valid liability insurance as required by CH. 95½ sec. 3-707 of the I.V.C., after being involved in a traffic accident with the complainant on 10 Feb. 93.

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 11 Public Transportation Veh./Facility
- 02 Tavern/Liquor Store
- 12 Park District Property
- 03 Other Business Establishment
- 13 Airport
- 04 Police Building
- 14 Public Property - Other
- 05 Lockup Facility
- 15 Other Private Premise
- 06 Police Maintenance Facility
- 16 Expressway/Interstate System
- 07 CPD Automotive Pound Facility
- 17 Public Way - Other
- 08 Other Police Property
- 18 Waterway, Incl. Park District
- 09 Police Communications System
- 19 Private Residence
- 10 Court Room

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)

C.R. NO.

198715

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

The R/Sgt. interviewed P.O. Henehan relative to this complaint. P.O. Henehan stated that on 10 Feb. 93, while working Beat 802 (Desk Duties) he handled a traffic accident involving Off-Duty P.P.O. Carolyn Hampton. At that time he asked to be shown proof of insurance and was handed what he believed to be a valid insurance policy, therefore no citation was issued. (Attachments #5 and #9C)

The R/Sgt. contacted P.P.O. Hampton in order to request a copy of her insurance policy. At that time P.P.O. Hampton related that at the time of the accident she did not have liability insurance, but was not aware of this fact until after being contacted by the complainant [REDACTED]

The R/Sgt. sent P.P.O. Hampton the Notification of Charges/Allegations, Waiver of Counsel/Request to Secure Counsel, and Administrative Proceedings Rights forms to the 010 District, with a request for a supervisor form that district to administer same.

P.P.O. writes in her report that upon purchasing the vehicle she was informed that the insurance price was included full coverage. Upon becoming aware of her lack of liability insurance, she immediately purchased same. (Attachments #9A and #9D)

The complainant [REDACTED] was interviewed, but could not add any additional information relative to her complaint. Subject Bilinda Jackson, listed as a witness, is witness to the Traffic Accident only, and not to any of the allegations made by the complainant.

In conclusion, the reason that P.O. Henehan did not issue a citation was due to the fact that he believed that P.P.O. Hampton had presented him with an insurance policy that appeared to be authentic. Had Officer Henehan read the policy present to him he would have seen clearly stated "this policy does not provide bodily injury and property damage liability insurance ..." the last two lines at the bottom of the policy. (Attachment #9C)

ATTACHMENTS	INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	9C	0	9C	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

Allegation #1: SUSTAINED - Violation of Chicago Police Department Rule Number 6, "disobedience of an order or directive, whether written or oral". On 10 February at 0920 hours, at the 008th District Station, P.O. Donald E. Henehan #1479 violated the provisions of Department General Order 93-2, Item III.,D. in he did not issue a citation for violation for violation of Ch. 95½ sec. 3-707 of the IVC., (not possessing liability insurance) to P.P.O. Hampton #4748, while conducting a Traffic Accident Investigation.

Allegation #2: SUSTAINED - Violation of Chicago Police Department Rule Number 1, "violation of any law or ordinance." On 10 February 93 at 0850 hours, at the location of 6300 S. Rockwell, P.P.O. Carolyn Y. Hampton #4748 operated her personal motor vehicle, without having liability insurance as required by State Law CH. 95½ sec. 3-707 of the I.V.C..

RECOMMENDATIONS:

After reviewing both the Complimentary and Disciplinary Histories of both of the accused members, the following disciplinary action is recommended.

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	DATE COMPLETED (DATE OF THIS REPORT)	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)
20 Feb. 93	15 March 93	25 days.

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INV [REDACTED]

IF NECESSARY, USE AN 8½ x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

SUMMARY REPORT DIGEST (Continued)
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SUMMARY: (Continued)

It should be noted that only after further investigation by the R/Sgt. was it revealed that this document did not meet the requirements of CH: 95½ section 3-707 of the I.V.C.. Since this policy was issued to P.P.O. Hampton it was incumbent upon her to read the policy to ensure that the requirements of the state law were complied with. Based upon the facts developed in this investigation the R/Sgt. recommends a finding of Sustained as to both allegations.

RECOMMENDATIONS: (Continued)

Allegation #1: The accused Police Officer Donald E. Henehan receive a Reprimand.

Allegation #2: The accused Probationary Police Officer Carolyn Y. Hampton be suspended for a period of three (3) days.

RECOMMENDED BY [REDACTED]
MAY 17 1993 /SUSTAINED
[REDACTED]

[REDACTED]
Sergeant Victoria L. Stanek #759

C.R.#: 198715